

AMENDED IN ASSEMBLY AUGUST 21, 2006

AMENDED IN ASSEMBLY JUNE 20, 2005

AMENDED IN SENATE MAY 27, 2005

AMENDED IN SENATE APRIL 14, 2005

SENATE BILL

No. 849

Introduced by Senator Escutia

(Coauthors: Senators Alquist and Kuehl)

(Coauthors: Assembly Members Chan, Koretz, Levine, and Pavley)

February 22, 2005

An act to add Section 104324.27 to the Health and Safety Code, relating to environmental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 849, as amended, Escutia. Environmental health data tracking.

Existing law establishes the Environmental Health Surveillance System through an interagency agreement between the State Department of Health Services, the California Environmental Protection Agency (Cal/EPA), and the University of California if authorized by the regents, for the purpose of, among other things, tracking and evaluating a variety of chronic diseases in relation to environmental exposures.

This bill would require, pursuant to that interagency agreement, the establishment of the Interagency Office of Environmental Health Tracking within the department's ~~Division of Environmental and Occupational Disease Control~~ *Center for Health Statistics* for the purpose of implementing the California Health Tracking Program. The bill would require the department and the Cal/EPA to each provide one 50% time research scientist as staff ~~for the new office to~~

direct the tracking program. The bill would state the Legislature's intent to provide funding to the department and the Cal/EPA for those research scientist positions in the 2005-06 Budget Act. The bill would prescribe the office's objectives over a 3-year period and would require the office to complete certain duties during the first year after it is established. The bill would require any additional funding for the office, beyond funding that the Legislature may appropriate for the research scientists, to come from federal or private sources. The bill would require that its provisions be implemented only if the department and the Cal/EPA receive funding in the 2005-06 Budget Act for the two 50% time research scientist positions, and if the Department of Finance makes a determination that sufficient federal or private moneys have been made available to the state to fully implement the bill either through federal or private funding sources or by absorbing the costs through existing resources.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Chronic diseases and injuries account for 75 percent of all
- 4 deaths in California.
- 5 (b) The medical and income-loss costs of chronic diseases for
- 6 the state in 2000 were estimated to be \$107 billion.
- 7 (c) Researchers have strong scientific or suggestive evidence
- 8 showing that many of these diseases, including, but not limited
- 9 to, respiratory illness, adverse pregnancy outcomes, cancer, and
- 10 developmental disabilities, are associated with environmental
- 11 exposures.
- 12 (d) If preventable environmental hazards account for even 1
- 13 percent of the cost of all chronic diseases in California, action to
- 14 identify and reduce these environmental exposures would save
- 15 the state hundreds of millions of dollars per year.
- 16 (e) The State of California has an inadequate ongoing
- 17 surveillance system to describe trends in environmental hazards
- 18 or exposures and environmentally related diseases, and
- 19 inadequate resources to carry out special studies to explain the
- 20 trends or to explore the policy implications of its findings.

1 (f) Environmental surveillance systems are necessary to
2 monitor the frequency and geographic distribution of these
3 illnesses and exposures and to protect public health.

4 (g) Ongoing surveillance of environmentally related diseases
5 and priority environmental hazards should be the function and
6 responsibility of the State of California.

7 (h) There are multiple agencies in California that collect and
8 manage health and environmental data, and those databases,
9 which could be used for tracking, need to be updated and made
10 uniform. However, there is a lack of systematic analysis of the
11 data.

12 (i) There needs to be a coordinating body that brings these
13 agencies together and promotes collaboration and sets the
14 priorities for updating these databases and systems. The cost to
15 integrate, coordinate, and analyze the data is only a fraction of
16 the cost of collecting the data.

17 (j) *California has suffered over 100 deaths and an unknown*
18 *number of illnesses related to the recent heat wave, which was*
19 *the deadliest in the state's history.*

20 (k) *The State of California has an inadequate ongoing*
21 *surveillance system to describe trends in heat-related deaths and*
22 *morbidity which are likely to continue with the accumulation of*
23 *greenhouse gases and increasing temperatures due to global*
24 *warming.*

25 (l) *California has the largest greenhouse gas (GHG) emissions*
26 *of any state in the United States, emitting roughly 500 million*
27 *metric tons of GHGs annually.*

28 (m) *Climate change and global warming poses a serious*
29 *public health threat for the citizens of California.*

30 (n) *Last year the Governor signed an executive order, which*
31 *established climate change emission reduction targets for*
32 *California and the development of a market-based emissions cap*
33 *system.*

34 (j)

35 (o) An interagency office of environmental health tracking
36 should be established and staffed jointly by the State Department
37 of Health Services and the California Environmental Protection
38 Agency.

39 (p) *If there are insufficient funds from the department or*
40 *Cal-EPA to jointly staff the interagency office, either the*

1 *department or Cal-EPA may unilaterally carry out the*
2 *interagency office's objectives.*

3 SEC. 2. Section 104324.27 is added to the Health and Safety
4 Code, immediately following Section 104324.25, to read:

5 104324.27. (a) Pursuant to the memorandum of
6 understanding set forth in Section 104324.25, the department and
7 the California Environmental Protection Agency shall establish
8 the Interagency Office of Environmental Health Tracking within
9 the department's ~~Division of Environmental and Occupational~~
10 ~~Disease Control Center for Health Statistics~~ for the purpose of
11 implementing the California Health Tracking Program.

12 (b) As used in this chapter "office of health tracking" means
13 the Interagency Office of Environmental Health Tracking
14 established in subdivision (a).

15 (c) The department and the California Environmental
16 Protection Agency shall both provide staff for the office of health
17 tracking with one 50 percent time research scientist ~~in the~~
18 ~~Environmental Health Investigations Branch of the department,~~
19 ~~and one 50 percent time research scientist in the Office of~~
20 ~~Environmental Health Hazard Assessment to direct the tracking~~
21 ~~program. All extramurally funded staff which are funded through~~
22 ~~the federal Centers for Disease Control and Prevention shall be~~
23 ~~transferred to the Center for Health Statistics.~~ The research
24 scientists shall, among other things, assist local communities by
25 providing technical assistance to obtain and interpret needed
26 environmental health data.

27 (d) The objectives of the office of health tracking shall be to
28 accomplish the following over a three-year period:

29 (1) Coordinate the multiple tracking data collection activities
30 across various state agencies and work to promote access to
31 priority databases and utilization of existing health and
32 environmental surveillance information to support examination
33 of the relationship between health and the environment.

34 (2) Oversee the implementation of the recommendations of the
35 final report of the working group established pursuant to this
36 chapter.

37 (3) Facilitate the dissemination of surveillance data to the
38 public and researchers and provide technical assistance on how to
39 interpret the data.

1 (4) Collaborate with the Lawrence Berkeley National
2 Laboratory and the California Environmental Protection Agency
3 to develop predictions of exposure, increased temperatures, and
4 increased numbers of emergency room visits, hospital
5 admissions, and deaths by county, which are vital for health care
6 planning for emergencies similar to the last heat wave.

7 ~~(4)~~

8 (5) Develop data sharing agreements, and develop procedures
9 to protect individual privacy.

10 ~~(5)~~

11 (6) Develop a strategic plan that would include a mission
12 statement, critical issues, core priorities for research and
13 surveillance, identification of internal and external stakeholders,
14 and a work plan describing future program development.

15 ~~(6)~~

16 (7) Collate and analyze data, including, but not limited to, all
17 of the following:

18 (A) Identifying trends and geographic patterns of disease and
19 environmental hazards or exposures.

20 (B) Analyzing hazards, exposures, and diseases with relation
21 to socioeconomic status, race, and ethnicity.

22 (C) Provide baseline data and present descriptive information
23 relevant to policy formation that are consistent with existing
24 goals of the program.

25 ~~(7)~~

26 (8) Develop a strategic plan, in consultation with the Office of
27 Environmental Health Hazard Assessment, for obtaining missing
28 information on chemicals as necessary for analyzing significant
29 environmental exposures and potentially damaging health and
30 environmental effects, including reports from the National
31 Academy of Sciences and other relevant studies.

32 ~~(8)~~

33 (9) Produce a report to the Legislature once every two years
34 on the status of surveillance activities and related research
35 programs.

36 (e) The office of health tracking shall use the program's
37 existing advisory bodies composed of members selected from
38 impacted communities, local government, environmental
39 advocacy groups, the regulated community, labor, and other
40 nongovernmental organizations to review and comment on its

1 findings, to provide input on future directions, to comment on the
2 biennial report, and to ensure accountability to communities and
3 the public.

4 (f) Any additional funding for the office of health tracking,
5 ~~beyond funds that the Legislature may appropriate for the~~
6 ~~research scientists required by subdivision (e), shall come from~~
7 *shall come from* federal or private sources. The office of health
8 tracking shall establish a state infrastructure that would signal the
9 commitment of the state to environmental health surveillance to
10 private and federal funding sources and thus, would facilitate
11 further funding for the office. Federal sources that should be
12 targeted for funding include the National Institutes of
13 Environmental Health Sciences and the Centers for Disease
14 Control and Prevention (CDC). Private sources for funding may
15 include the California Wellness Foundation, the California
16 Endowment, the National Environmental Education and Training
17 Foundation, the Trust for America's Health, and the Public
18 Health Trust. The CDC-funded California Environmental Health
19 Tracking Program ~~will be submitting a competitive renewal for~~
20 ~~its program activities in spring 2006~~ *has awarded the State*
21 *Department of Health Services a nine hundred thousand dollars*
22 *(\$900,000) grant renewal for its program activities from the*
23 *federal Center for Disease Control and Prevention.* This
24 mechanism would fund surveillance activities over a five-year
25 period. The half-time research scientists shall work closely with
26 the extramurally funded staff from the CDC-funded tracking
27 program to propose program activities that could overlap with the
28 goals and mission of the office of health tracking.

29 SEC. 3. It is the intent of this act that activities proposed shall
30 not be carried out at the expense of any of the department's
31 existing registry activities. During the first year after it is
32 established, the office of health tracking shall do all of the
33 following:

34 (a) Develop and sign cooperative agreements for data sharing
35 between the office of health tracking, the Division of Chronic
36 Disease and Injury Control in the department, and the boards,
37 departments, and offices of the California Environmental
38 Protection Agency. These agreements shall be modeled after the
39 recent Memorandum of Understanding signed by the United
40 States Environmental Protection Agency and the United States

1 Department of Health and Human Services to coordinate
2 collection of health and environmental data, *and shall carry out*
3 *the mandate of Section 104324.25 of the Health and Safety Code.*

4 (b) Develop a strategic plan that shall include (1) a mission
5 statement, (2) identification of both critical issues and core
6 priorities for research and surveillance and internal and external
7 stakeholders, and (3) a work plan describing future program
8 development.

9 (c) Develop extramural proposals to seek federal and
10 foundation funds to establish pilot tracking projects, fund
11 additional staff positions, and develop solid cost estimates and
12 proposals for a tracking function.

13 ~~SEC. 4. It is the Legislature's intent to provide funding to the~~
14 ~~State Department of Health Services and the California~~
15 ~~Environmental Protection Agency for the research scientist~~
16 ~~positions required by subdivision (c) of Section 104324.27, as~~
17 ~~added by this act, in the 2005-06 Budget Act. It is the~~
18 ~~Legislature's intent to provide that funding without reducing~~
19 ~~existing levels of funding provided to other surveillance~~
20 ~~programs administered by the State Department of Health~~
21 ~~Services.~~

22 ~~SEC. 5. This act shall only be implemented if the State~~
23 ~~Department of Health Services and the California Environmental~~
24 ~~Protection Agency receive funding in the 2005-06 Budget Act for~~
25 ~~the two 50-percent time research scientist positions required by~~
26 ~~this act, and if the Department of Finance makes a determination~~
27 ~~that sufficient federal or private moneys have been made~~
28 ~~available to the state to fully implement this act.~~

29 *SEC. 4. It is not the intent of the Legislature to reduce*
30 *existing levels of funding provided to other surveillance*
31 *programs administered by the State Department of Health*
32 *Services.*

33 *SEC. 5. This act shall be implemented by the State*
34 *Department of Health Services and the California Environmental*
35 *Protection Agency either through federal or private funding*
36 *sources, or by absorbing the costs through existing resources.*
37 *However, in the event that either entity cannot absorb the costs*

- 1 *or lacks outside funding, the other entity may move forward*
- 2 *unilaterally in carrying out the objectives of the act.*

O